


**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

MARYANN BUTLER and AUDURY PETIE DAVIS, :
Plaintiffs, :
: Case No. 1:25-cv-00690
v. :
: :
NEW AMERICAN FUNDING, a/k/a :
BROKER SOLUTIONS, INC., et al., :
Defendants. :

FILED
HARRISBURG, PA
JUL 22 2025
PER  CLERK

**Verified Supplemental Complaint Asserting Individual
Liability for Fraud, Licensing Violations, Regulatory
Misconduct, and Third-Party Harm**

COMES NOW July 22, 2025 Plaintiffs Maryann Butler and Audury Petie Davis, proceeding pro se, and submit this Supplemental Verified Complaint naming additional parties in their personal capacity Amy Dale, Sean Wainwright, and Enrico Arvielo for misconduct and violations tied to the underlying loan transaction with Defendant New American Funding. This Complaint incorporates newly discovered facts, direct harm, and enhanced liability, including personal tort and fraud claims, now vital to complete adjudication.

PARTIES

1. Plaintiff Maryann Butler is a resident of Harrisburg, Pennsylvania and a party to the subject FHA refinance loan.
2. Plaintiff Audury Petie Davis is a resident of Harrisburg, Pennsylvania and the authorized representative of Maryann Butler, and also the direct recipient of numerous communications and actions central to this case.
3. Defendant Amy Dale is a Senior Vice President employed by New American Funding and is sued in her personal capacity for willful misrepresentations and regulatory obstruction. Defendant misrepresented material facts of a FHA refinance to CFPB regulatory agency.
4. Defendant Sean Wainwright is a loan officer employed by New American Funding and is sued in his personal capacity for negligent and fraudulent acts during the FHA loan process. In actions of admitting on a recorded line that "he was negligent in the loan process as well as blocked all communication in reference to the fha loan during rate locking agreements.
5. Defendant Enrico Arvielo is the President of Broker Solutions, Inc. d/b/a New American Funding and is sued in his personal capacity for state registration fraud and unlawful corporate oversight in Pennsylvania.

JURISDICTION AND VENUE

6. Jurisdiction is proper under 28 U.S.C. § 1331 (federal question) and § 1367 (supplemental jurisdiction).
7. Venue is proper in the Middle District of Pennsylvania under 28 U.S.C. § 1391(b) as all actions giving rise to these claims occurred in this District.

FACTUAL ALLEGATIONS

8. Plaintiffs incorporate by reference all prior pleadings, exhibits, and docket entries, including but not limited to Exhibits F (voicemail transcript), F2 (voicemail USB), O (loan file sent to Wainwright), D (bounce-back during rate lock), D2 (good faith preservation bounce-back), Y (leave of absence notice from Amy Dale), and Supplemental Exhibits 4 and 5.

9. Defendant Sean Wainwright received the full FHA loan file including W-2s and Social Security data via his personal email. He blocked Plaintiff Davis during the rate lock period and disappeared from communications.

10. Defendant Amy Dale knowingly lied to the Consumer Financial Protection Bureau (CFPB) in her formal response, misrepresenting that the loan file was incomplete and that Petie Davis impersonated Maryann Butler. These allegations are disproven by Exhibits O and E.

11. Amy Dale personally communicated with Plaintiff Davis and sent appraisal materials off-portal in violation of federal data protocols.

12. Enrico Arvielo submitted the May 2024 business registration for Broker Solutions, Inc. with the Pennsylvania Department of State. He is not licensed in the NMLS system as required for operating a lending firm in Pennsylvania, and never updated the registration to reflect this litigation (See Exhibits 4 and 5).

13. These acts directly led to the collapse of the loan process, credit damage, financial fallout, and third-party harm including breach of a \$40,000 contract with American Remodeling (Supplemental Exhibit A).

CAUSES OF ACTION

COUNT I – FRAUD AND NEGLIGENT MISREPRESENTATION (Amy Dale and Sean Wainwright)

14. Plaintiffs incorporate the foregoing paragraphs as if fully set forth herein.

15. Defendants Dale and Wainwright made false representations and material omissions regarding the loan file, appraisal, and rate lock process.

16. These misrepresentations caused severe financial harm and regulatory delay, in violation of federal lending standards and consumer protection laws.

COUNT II – VIOLATION OF FEDERAL FAIR LENDING LAWS (All Individual Defendants)

17. Defendants individually and collectively violated FHA guidelines and federal lending laws by engaging in off-portal document handling, blocking authorized parties, and issuing false reports to regulators.

18. These acts constitute systemic discrimination, obstruction, and gross negligence.

COUNT III – STATE REGISTRATION FRAUD (Enrico Arvielo)

19. Defendant Arvielo submitted a business registration to the Pennsylvania Department of State while unlawfully omitting required licensing information.

20. Arvielo's failure to amend or update the filing in light of litigation constitutes fraud under state administrative law and exposes NAF to enforcement.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully request this Court:

- A. Enter judgment against Amy Dale, Sean Wainwright, and Enrico Arvielo in their personal capacities;
- B. Award damages in an amount to be determined at trial;
- C. Grant post-judgment discovery and sanctions;
- D. Assign tax liability for all damages to Defendants;
- E. Grant such other relief as this Court deems just and proper.

VERIFICATION

I, Audury Petie Davis, under penalty of perjury, verify that the foregoing is true and correct to the best of my knowledge and belief.

Executed on this 22st day of July, 2025.

/s/ Audury Petie Davis
Audury Petie Davis

CERTIFICATE OF SERVICE

I, Audury Petie Davis, hereby certify that on July 22, 2025, I caused a true and correct copy of the following document:

Verified Supplemental Complaint Naming Amy Dale, Sean Wainwright, and Enrico Arvielo in their Individual Capacities

to be served upon the following party by U.S. Mail and electronic delivery (where applicable):

James McNally, Esq.
Cohen Seglias Pallas Greenhall & Furman PC
McNally@cohensiglias.com

Copies were also mailed to the corporate offices of the newly named defendants:

Amy Dale
c/o New American Funding
14511 Myford Rd., Suite 100
Tustin, CA 92780

Sean Wainwright
c/o New American Funding
14511 Myford Rd., Suite 100
Tustin, CA 92780

Enrico Arvielo
President & CEO, New American Funding

14511 Myford Rd., Suite 100
Tustin, CA 92780

I declare under penalty of perjury that the foregoing is true and correct.

Dated: July 22, 2025

Respectfully submitted,

/s/ Audury Petie Davis

Audury Petie Davis

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